

**C) REMARKS**

The Examiner rejected claims 1 and 13 under 35 U.S.C. § 103(a) as being unpatentable over Hsieh, et al. United States Patent No. 6,466,645 (the '645 patent). The '645 patent is well known to the inventors and provides a method for detecting tube spit that uses projection data.

During a computed tomography procedure, projection data is collected from the detector elements which together sense the projected x-rays that pass through an object, such as a patient. Each detector element produces an electrical signal that represents the intensity of the x-ray beam after it passes through a patient. In the '645 patent, this signal is then preprocessed to correct for the speed/movement of the detector. Then, tube spit detection is performed on the sample.

The present invention employs a computer for monitoring the generator output; the computer being capable of detecting a tube spit event by sensing a drop in generator voltage and initiating a tube spit correction method.

In order to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art to modify the reference. Second, there must be a reasonable expectation of success. Lastly, the prior art reference must teach or suggest all of the claim limitations.

The claims, as amended, are believed to be patentable over the '645 reference because the '645 reference does not teach or suggest the step of using a computer to monitor the generator voltage directly or the step of initiating the tube spit correction

sequence. This method eliminates the step of processing actual projection data received by the detector cells.

The amended claims now more particularly point out and claim the electronic communication between the computer and the generator. The applicants respectfully submit that this, and other, novel features are not found in the prior art cited. Allowance of all claims now presented is respectfully requested.

Respectfully submitted,  
Fang F. Dong, et al. Applicants

By   
Joseph S. Heino  
Reg. No. 31,524  
DAVIS & KUELTHAU, s.c.  
111 E. Kilbourn Ave., Ste. 1400  
Milwaukee, WI 53202-1633  
(414) 225-1452

Patrick M. Bergin  
Reg. No. 54,994  
DAVIS & KUELTHAU, s.c.  
111 E. Kilbourn Ave., Ste. 1400  
Milwaukee, WI 53202-1633  
(414) 225-7563